

UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF NEW YORK

MICHAEL P. MARTIN,

Plaintiff,

against

ATH HOLDINGS, INC.,
Defendant

08 CV. 8116 (CM)

NOTICE OF
WITHDRAWAL

PLEASE TAKE NOTICE that pursuant to
F.R.C.P. 41(A), pursuant plaintiff hereby
withdraws this action without prejudice, no
answer having yet been filed herein.

Dated: December 12, 2008
New York, New York

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THE LAW OFFICE OF
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